



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

David Joseph MEDINA,

Defendant.

Magistrate Case No.:

'08 MJ 8287

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 2, 2008, within the Southern District of California, defendant David Joseph MEDINA did knowingly and intentionally import approximately 1.86 kilograms (4.092 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3RD,
DAY OF April 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 David Joseph MEDINA

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes furnished
6 to U. S. Immigration and Customs Enforcement Special Agent Reuben McDowell.

7 On April 2, 2008, at approximately 2310 hours, David Joseph MEDINA entered the
8 United States at the Calexico, California, West Port of Entry. Customs and Border Officer
9 J. Burgueno was manning the pedestrian area. Officer Burgueno received a negative oral
10 Customs declaration from MEDINA. Officer Burgueno observed a bulge behind MEDINA's
11 thigh. Officer Burgueno grabbed MEDINA whom tried to abscond south into Mexico.
12 Officer Burgueno conducted a patdown search which revealed six packages taped to
13 MEDINA's thighs.

14 Once of the packages was probed and a sample of green leafy substance was
15 obtained, which field tested positive for marijuana. The six packages had a combined net
16 weight of approximately 1.86 kilograms (4.092 pounds) of marijuana.

17 MEDINA was advised of his rights per Miranda. MEDINA stated he understood his
18 rights and was willing to answer questions without an attorney present. MEDINA admitted
19 knowledge of the marijuana.

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